

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

EILEEN SISK,	)	
	)	
Plaintiff	)	
	)	
v.	)	
	)	No. 3:11-1159
GANNET COMPANY, INC.; GANNETT	)	Judge Campbell/Brown
COMPANY, INC. INCOME PROTECTION	)	
PLAN; and AETNA LIFE INSURANCE	)	
CO., a Connecticut corporation,	)	
	)	
Defendants	)	

O R D E R

Presently pending is a first motion for leave to file a second amended complaint (Docket Entry 42). This motion is terminated as **MOOT**. The Defendant Aetna and the Plaintiff have filed a joint motion to dismiss (Docket Entry 51), which was granted by the District Judge. It appears that the second amended complaint deals in some detail with Aetna in this matter as a Defendant. In view of the dismissal of Aetna it would appear that if the Plaintiff wishes to file an amended complaint it would be best if it were filed without Aetna being listed as a defendant.

In view of this ruling, the motion to file a reply memorandum (Docket Entry 49) is also terminated as **MOOT**.

The Magistrate Judge will wait to rule on the first motion for discovery (Docket Entry 46) until a response has been received.

It is so **ORDERED**.

/s/ Joe B. Brown  
JOE B. BROWN  
United States Magistrate Judge